

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ADRIAN TL JOHNSON,

Plaintiff

v.

SGT. BERNDT, *et al.*,

Defendants.

Case No. 2:20-cv-00150-JAD-EJY

ORDER

Pending before the Court is Plaintiff's Motion Requesting Service on Defendant Corrections Officer Scott Williams, P#9222. ECF No. 58. The Court notes that a summons was issued for Defendant Williams but unserved because, at that time, he was only identified by his last name. ECF No. 15. On February 23, 2021, a second summons was issued for this defendant, identifying him as J Williams, with P#9222. ECF No. 23. This summons was never served. There is no explanation for why service of this summons and Plaintiff's Complaint was not attempted. Plaintiff has now identified the Defendant as Scott Williams with P#9222.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion Requesting Service on Defendant Corrections Officer Scott Williams, P#9222 (ECF No. 58) is GRANTED in part as follows:.

- the Clerk of Court shall issue a third summons to Corrections Officer Scott Williams, P#9222 and deliver the same to the U.S. Marshal's Office for service together with a copy of Plaintiff's operative Complaint (ECF No. 11) and a copy of the Screening Order (ECF No. 10); however, service is delayed until Counsel for Defendants has an opportunity to consider acceptance of service or to oppose service as stated immediately below.

- Counsel for Defendants shall within fifteen (15) days of the date of this Order file a notice with the Court stating whether such counsel will accept service on behalf of Defendant Corrections Officer Scott Williams or otherwise oppose service on Williams.
- If within fifteen days of the date of this Order service is not accepted by counsel for Defendants on behalf of Defendant Corrections Officer Scott Williams and Defendants do not file an Opposition to Service, the U.S. Marshal's Office **shall** attempt service of Corrections Officer Scott Williams at the Clark County Detention Center, 330 S. Casino Blvd., Las Vegas, NV 89101 within **twenty-five (25) days** of the date of this Order.

Dated this 9th day of March, 2022.


ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE